

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X 10 CIV 0667 (SJF) (ARL)
SANDRA MORRISON-ALLEN,

Plaintiff,

-against-

JOHN MATTINGLY, COMMISSIONER OF ACS,
DEIDRE REYNOLDS, DIRECTOR OF MERCY FIRST
FOSTER CARE, JEANIE CAMBRIA MERCY FIRST
FOSTER CARE, STEWART ALTMAN, ESQ., LAW
GUARDIAN FOR CHILD, ERIN GALVIN, ESQ.,
RACHELLE SKUOL, ESQ. FOR ADMINISTRATION
FOR CHILDREN SERVICES, ANGELA CAMPBELL
CASEWORKER FOR ACS, DR. DEBRA ERNERSIO-
JENSSEN, ANDREA LOMAX CASEWORKER,
JOSEPH KASPER, ESQ., IRA ERAS, ESQ., JUDGE
LINDA TALLY, SISTERS OF MERCY MERCY FIRST
FOSTERCARE BOARDING HOMES, and JOHN DOE,

Defendants.

-----X

STATE OF NEW YORK)
ss.:
COUNTY OF NEW YORK)

WARREN S. KOSTER, being duly sworn, deposes and says:

1. I am a member of the law firm of Callan, Koster, Brady & Brennan, LLP, attorneys for defendants DEIDRE REYNOLDS ("Reynolds"), JEANIE CAMBRIA ("Cambria"), ANDREA LOMAX ("Lomax"), SISTERS OF MERCY MERCY FIRST FOSTERCARE ("Mercy First"), and IRA ERAS, ESQ. ("Eras") in the above-entitled action. I am fully familiar with the facts and circumstances of this case based on a review of the file materials maintained in this office.
2. This affidavit is submitted in reply to plaintiff's opposition and in further support of defendants Reynolds, Lomax, Cambria, Eras, and Mercy First's motion to dismiss in lieu

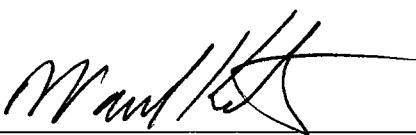
of answer pursuant to Federal Rule of Civil Procedure 12(b)(6) to have the plaintiff's amended complaint dismissed with prejudice as against Reynolds, Lomax, Cambria, Eras, and Mercy First, and for such other and further relief as this Court may deem just and proper.

3. Pursuant this Court's Order, dated June 2, 2010, and annexed hereto as **Exhibit "A"**, defendants' time to reply to plaintiff's opposition and to file fully briefed motions was extended until June 21, 2010. Accordingly, the instant reply and motion are timely filed.

4. As discussed in the annexed Reply Memorandum of Law, each and every cause of action asserted against defendants Reynolds, Eras, Lomax, Cambria and Mercy First in the amended complaint should be dismissed for failure to state a cause of action upon which relief may be granted.

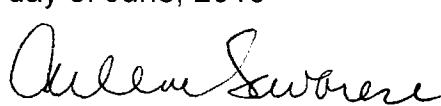
WHEREFORE, it is respectfully requested that the instant Motion be granted in its entirety.

Dated: New York, New York
June 21, 2010



WARREN S. KOSTER (WSK-6753)

Sworn to before me this
21st day of June, 2010



Notary Public

Ariene Savarese
NOTARY PUBLIC, State of New York
No. 01SA6146568
Qualified in Richmond County
Term Expires: May 22, 2014

Order

The application is:

 granted. Plaintiff's time to respond to defendant's motion is extended May 28th, 2010 denied defendant's motion is extended 371 First Place referred to Magistrate Judge _____ for to Uniondale decision June 7, 2010. New York N.Y. report and recommendation Final Extension.

Defendant's Reply, and fully briefed motion are to be filed by

Honorable Judge Sandra J. Feuerstein

United States District Judge
United States District Court
814 Federal Plaza
Central Islip New York 11722-4451

ECF and regular mail

FILED IN CLERK'S OFFICE U.S. DISTRICT COURT E.D.N.Y.

JUN 01 2010 6/02/10

★ MAY 28 2010 ★

LONG ISLAND

RE: Allen v. Mattingly, et al., 10-cv-00667 (SJF)(ADM)

REQUEST FOR FOUR ADDITIONAL DAYS TO COMPLETE ANSWERS

Dear Judge Feuerstein:

I am Sandra Morrison-Allen the plaintiff on this case and I am humbly requesting four additional days to submit my answers. I am graciously asking to be accommodated as new prejudicial activities and information that needs to be added came about in Queens Family Court on Wednesday May 26th, 2010. Additional racial, and prejudicial biasness was evident, threats occurred wherein even my advocate was threatened. We were told not to take notes and yet when I requested transcripts I was denied. I am still denied my records from Administration for Children Services, from Mercy First Foster Care ,from QFC MHealth Services, and still denied any ability/permission to subpoena my records. My motherly appeal on Wednesday was for my records to be able to adequately prepare my defense and proceed in Queens Family Court but my request was denied.

My former attorney (M.r Joseph Kasper still refuses to relinquish my court file and I am forced to work as a Pro Se litigant without necessary information. There has been (Fraudulent findings against me done by a now retired Judge) yet I was told on Wednesday "just move this case along" I am told that it is not necessary for me to receive any information on the charges. I was told on Wednesday that I don't need my files when I politely asked for my records. I am forced to try and prove a fraudulent case brought against me and denied access to the evidence which is depriving me of my due process rights which is evident in the appeal (CV 08 1226).This appeal goes forward 6/10/2010.

Please grant me more time to amend my answers and support my answers with appropriate legal arguments to uncover the fraud and abuse of power that has engulfed this case.

RECEIVED

MAY 28 2010



SANDRA MORRISON-ALLEN

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
ss.:
COUNTY OF NEW YORK)

ARLENE SAVARESE being duly sworn, deposes and says that:

I am not a party to the action, am over 18 years of age and am employed at One Whitehall Street, New York, New York.

On June 21, 2010, I served a true copy of the annexed **AFFIDAVIT IN REPLY**, by mailing same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address(es) of the party(s) listed below:

SANDRA MORRISON-ALLEN
Plaintiff Pro Se
371 First Place
Uniondale, New York 11553

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Rachelle Skuol, Esq. for Administration
Child Services; Angela Campbell,
Caseworker for ACS*
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Attorneys for Defendant
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Dr. Debra Esernio-Jenssen
120 Broadway, 14th Floor
New York, New York 10271

JOSEPH KASPER, ESQ.
Defendant
94-09 101st Avenue
Ozone Park, New York 11416

Sworn to before me this
21st day of June, 2010.

Notary Public

ARLENE SAVARESE

MARIA COLAMARINO
Notary Public, State of New York
No. 01CO6008711
Qualified in Queens County
Commission Expires June 15, 2014